



WISCONSIN LEGISLATIVE COUNCIL RULES CLEARINGHOUSE

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CLEARINGHOUSE RULE 08-071

Comments

[NOTE: All citations to “Manual” in the comments below are to the Administrative Rules Procedures Manual, prepared by the Revisor of Statutes Bureau and the Legislative Council Staff, dated January 2005.]

5. Clarity, Grammar, Punctuation and Use of Plain Language

The department cites s. 426.108, Stats., as its main source of statutory authority for Clearinghouse Rule 08-071. Section 426.108, Stats., authorizes the department to promulgate rules relating to unconscionable conduct in consumer credit transactions and the collection of debts arising from consumer credit transactions. To the extent that “consumer transactions” and “consumer credit transactions” may not be coextensive terms under the Wisconsin Consumer Act, the department should modify the proposed rule in order to more clearly limit the application of the rule to “consumer credit transactions as opposed to merely referring to s. 426.108, Stats.” [See s. 421.301 (10) and (13), Stats.] Alternatively, the department should cite additional statutory authority for regulating unconscionable conduct in all activities subject to the Wisconsin Consumer Act.